

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
The Use of N11 Codes and Other)	CC Docket No. 92-105
Abbreviated Dialing Arrangements)	

**REPLY COMMENTS OF THE AMERICAN ASSOCIATION OF STATE
HIGHWAY AND TRANSPORTATION OFFICIALS (AASHTO)**

AASHTO hereby submits its Reply Comments to the Comments filed to refresh the record regarding reconsideration of the Commission's designation of the 211 and 511 abbreviated dialing codes. AASHTO submits these comments on behalf of the National 511 Deployment Coalition, a partnership between AASHTO, the American Public Transportation Association (APTA), the Intelligent Transportation Society of America (ITS America) and the United States Department of Transportation (U.S. DOT). In response to the Commission's 211/511 Assignment Order, the 511 Deployment Coalition was formed in January 2001, specifically to coordinate and advance the deployment of 511 services in the United States.

I. 511 IMPLEMENTATION STATUS

The first 511 service was launched in June 2001, roughly one year after the 211/511 Assignment Order. Since then, 511 service rollout has been consistent and steady. Presently, 24 services are operating in 22 states. Of those services, 17 cover complete states, six are available in metropolitan areas and one covers a rural travel corridor. 511 serves travelers from the most rural parts of the country to daily commuters in some of our nation's most congested cities, and serves both wireless and wireline

callers. 511 is available to over 75 million Americans, or almost 26% of the nation's population, with more 511 services launching and existing services enhancing their offering.

As requested by the FCC in its 211/511 Assignment Order, the U.S. DOT has played an important role in facilitating the "ubiquitous deployment of 511 across the country." U.S. DOT has provided resources to and actively participates in the National 511 Deployment Coalition. Also, U.S. DOT has offered 511 planning grants to the states and, to date, all but four states have applied and received such grants. Finally, U.S. DOT funded a 511 model deployment project in the state of Arizona.

The 511 Deployment Coalition projects that nearly 50% of the population will have access to 511 services in their home areas by the end of 2005, with the goal of near ubiquitous implementation of 511 services by 2010 well in sight.

As important as 511 service coverage is usage. The Coalition tracks usage on all 511 services. Total usage has grown from roughly 650,000 calls in 2001 to 3.3 million calls in 2002 to over 9 million calls in 2003. Through September, roughly 10 million calls have been answered in 2004. When looking at call volumes of mature services, defined by the Coalition as those operational for more than one year, usage has increased by over 50% in 2004, showing the increasing value of these services in the eyes of its users.

The Coalition's web site, www.deploy511.org contains a myriad of detailed information regarding 511 deployment status, guidelines for implementing and operating 511 services and assistance reports on subjects of importance to 511 implementers. Considering no new explicit funding sources were created to implement and operate 511,

and several issues needed to be sorted out in advance of 511 service implementation, the National 511 Deployment Coalition strongly believes that 511 deployment is occurring, and will continue to occur, as expeditiously as possible.

II. PETITIONERS CONCERNS

AASHTO and the 511 Deployment Coalition wishes to specifically address the comments filed by the wireless carriers and CTIA as they pertain to 511. In general, AASHTO understands that the carriers and CTIA identified three primary issues: (1) ambiguity regarding what government entities should have access to 511 and how carriers should resolve mutually exclusive requests; (2) problems associated with wireless carrier network topology not aligning with 511 service areas; and, (3) the assertion that government-provided 511 services act as a private market inhibitor. AASHTO and the 511 Deployment Coalition believes that no further action from the FCC is needed at this time, as issues are being adequately handled in the implementation process and that 511 is not, and does not attempt to, inhibit the introduction and expansion of commercial traveler information services. The issues raised by the Petitioners have not been demonstrated in over three years of implementation experience.

III. AMBIGUITY OF WHAT ENTITIES SHOULD HAVE ACCESS TO 511

Some Petitioners expressed concern that the 211/511 Assignment Order left carriers in the potential position of having to “referee” between multiple legitimate entities who requested to use the 511 dialing code. While we are not knowledgeable of the circumstances surrounding 211 usage, the 511 Deployment Coalition knows of no case in which multiple mutually exclusive requests for 511 service have occurred. In most states, the state Department of Transportation, or functional equivalent, has taken

the lead in coordinating the implementation of 511 and has worked with the wireline and wireless carriers to properly routing the 511 code. However, there are instances in which other organizations, such as the Metropolitan Planning Organizations in San Francisco, San Diego and Sacramento, are the lead coordinating authority for 511 services in their region. Thus, the 511 Deployment Coalition believes that there exists no practical need to assign “control” of 511 access to a specific governmental entity, nor is a single type of entity taking the lead in all areas. As the Commission directed in the 211/511 Assignment Order, state/regional discretion, facilitated through the 511 Deployment Coalition, has been successful in determining what entity has the lead for implementation.

IV. WIRELESS CALL ROUTING NOT IN ALIGNMENT WITH 511 SERVICE BORDERS

AASHTO and its partner organizations in the 511 Deployment Coalition agrees with the Petitioners that the topology of wireless networks does not always align with the desired service boundaries of statewide or regional 511 services. However, the concerns about geographic difficulties are misplaced. It is true that a caller to 511 in one state/region near its border may, because of various technical reasons, have the call go through a cell tower programmed to send calls to a different state/region. The 511 programs themselves, however, are addressing this problem. For example, the Sacramento 511 program provides a connection to the adjacent 511 system in the San Francisco Bay area, and the San Francisco system, when it completes its next set of revisions, will provide a connection to Sacramento’s 511. Several other examples exist where bordering services provide call transfer capabilities between services to properly

route misrouted calls (e.g., Virginia and North Carolina, Tampa Bay with Central Florida and Southeast Florida, Oregon and Washington) or where adjacent states are served by the same service so misrouted calls are addressed internal to the 511 services and do not even require a call transfer. The 511 Coalition has published a Deployment Assistance Report specifically to address this issue of regional interoperability. The Coalition is aware of only a single case, between the Tampa Bay and Central Florida regional services, where wireless carriers have been asked to route calls at a resolution finer than the mobile switching office level. In that case, the Florida Department of Transportation worked with each carrier on a case-by-case basis to conduct tower-level programming and provided payment for rendered services as requested. Again, the Petitioners have identified a theoretical issue that has yet to become a practical problem for carriers.

V. 511 SERVICES INHIBIT PRIVATE MARKET OPPORTUNITIES

Some of the wireless carriers contend that the FCC's order providing exclusive access to 511 to transportation agencies inhibits competition by preventing the wireless carriers from providing branded traveler information to their customers. They also suggest that, but for the assignment of 511 to government agencies, there would likely be a thriving market for private, for-profit 511 services. These arguments have no basis in the historical realities of either traveler information services or wireless communications.

The market for private voice-based telephone-accessible services did not exist on any large scale before the 511 assignment, and it does not exist today, for either revenue generation or wireless carrier market differentiation. Verizon Wireless, in its comments, underscores this fact, with the claim that it used to but no longer offers two different traffic information services it once offered in the Washington, DC area. There is no, nor

has there ever been, 511 services operating in or near Washington, DC, so whatever the actual reasons for discontinuing those services, competition from 511 was not one of the reasons.

AASHTO and the 511 Deployment Coalition sees several ways in which wireless carriers can generate revenue and/or establish brand differentiation by offering traffic/traveler information services that are not affected by the presence or absence of 511 in a state/region: (1) by leveraging existing branded information service offerings such as 411 or AT&T's #121 service; (2) by establishing new carrier specific abbreviated dialing codes for traffic/travel services; (3) taking advantage of the multi-media features of new wireless phones and 4) by working with the 511 Coalition to provide service cooperation on 511.

First, several wireless carriers offer subscribers one or more means to obtain enhanced information or services. For example, Sprint PCS allows its customers to get many different types of information by dialing 411, typically the number for directory assistance. In addition to telephone numbers, 411 provides access to restaurant reservations, driving directions, movie listings, event information, sports scores, weather information, stock quotes, horoscopes, lottery results, time of day, and ATM locations.¹ Given this, there is no reason that Sprint could not provide traffic and/or traveler information—as part of the Sprint brand—over its existing 411 service.

Second, just as Verizon Wireless established a “*JAM” service in the Washington, DC area, wireless carriers have the means to establish codes as simple or simpler than 511 that could be branded to deliver traffic/traveler information services. Government

¹ <http://www1.sprintpcs.com/explore/ueContent.jsp?scTopic=directoryAssistance> (checked on November 15, 2004).

entities do not have the ability to establish a uniform abbreviated dialing code across all carriers – wireline and wireless – to provide basic traveler information other than by using an N11 dialing code.

Thirdly, as wireless phones increasingly become multimedia devices, carriers have the opportunity to provide travel information services that go far beyond voice-accessible 511. For example, it is now possible to access and view over 300 Washington, DC area government highway cameras on web enabled, HTML capable wireless phones.²

Finally, the 511 Operational Guidelines support premium services that would encourage partnerships between all private entities that are interested in building on the basic services. Some state governments have had open solicitations to which carriers could have responded for providing 511 services, however, to date none have responded.

AASHTO and the 511 Deployment Coalition encourage wireless carriers to aggressively establish traffic and traveler information services that provide value to subscribers beyond the basic level 511 services provide. However, the lack of development of such services prior to and since the 211/511 Assignment Order illustrates the need for government entities to ensure basic traveler information services are available to the entire traveling public, including those in rural and urban areas, highway and public transportation users, and those with and without wireless phones. As 511 usage spikes of four to five time normal call volumes during hurricanes, blizzards, major accidents and other unanticipated events demonstrate, the public desires and benefits from 511 services, particular in emergency situations. As the number of services grow and become more established, the 511 Deployment Coalition expects 511 to become an

² See <http://www.trafficland.com/tl-airvideo-signup.html> (checked on November 17, 2004)

essential tool of the traveling public to safely and efficiently navigate the transportation system.

VI. CONCLUSIONS

AASHTO and the 511 Deployment Coalition welcome the opportunity to update the Commission on the progress of 511 implementation and the coordinated efforts of federal, state and local government entities, academia and the private sector to establish 511 services to meet the vision of the Commission in its 211/511 Assignment Order. However, AASHTO has seen no real-world examples of the concerns raised by the carriers and CTIA, thus does not believe any additional rulemaking associated with 511 is necessary at this time.